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Attorneys for Claimant(s)
Michael K. McCully, Michael Mullen, et al.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11 Case No.
	:	
LEHMAN BROTHERS HOLDINGS INC., et al.,	:	08-13555 (JMP)
	:	
Debtors.	:	(Jointly Administered)
	:	
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**NOTICE OF MOTION PURSUANT TO FED. R. BANKR. P. 7023
TO CERTIFY A CLASS OF RSU AND CSA CLAIMANTS, APPOINT
CLASS COUNSEL AND CLASS REPRESENTATIVES, AND APPROVE
THE FORM AND MANNER OF NOTICE TO CLASS MEMBERS**

PLEASE TAKE NOTICE that on July 6, 2012, creditor-claimants Michael K. McCully and Michael J. Mullen filed and served Doc. 29256, a motion for certification of a class of similarly-situated creditor-claimants, including:

All persons named by Debtors in the 313th and 319th Omnibus Objections; and all persons who have filed Proofs of Claim for deferred compensation denominated as “Restricted Stock Units” or “Contingent Stock Awards” and who have not been named in Debtors’ 73rd, 118th, 130th, 131st, 133rd, 134th, 135th, 176th, and 207th Omnibus Objections, excluding all persons who opt out of the class after notice is duly given.

The proposed class would be divided into the following two subclasses:

1. All members of the putative class who were compensated by salary and who received RSUs or CSAs in lieu of cash as part of their annual bonuses (the “Salaried Employee Subclass” or

“SE Subclass”), with Claimant McCully designated as the SE Subclass Representative; and

2. All members of the putative class who were compensated by sales commissions and who received RSUs or CSAs in lieu of cash commissions (the “Commissioned Sales Subclass” or “CS Subclass”), with Claimant Mullen as the CS Subclass Representative.

The motion was to be heard on July 19, 2012 at 10:00 a.m., together with the 313th Omnibus Objection to which it was related.


PLEASE TAKE FURTHER NOTICE that, pursuant to Debtors’ Notice of Adjournment of the hearing on the 313th Omnibus Objection entered July 12, 2012 (Doc. 29378), Debtors have adjourned the dated hearing to August 23, 2012, the same hearing date as that scheduled for the 319th Omnibus Objection.

PLEASE TAKE FURTHER NOTICE that creditor-claimants McCully and Mullen will move for class certification at the hearing date for the 313th and 319th Omnibus Objections, August 23, 2012, at 10:00 a.m. or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that any responses to the foregoing motion for class certification shall be filed and served no later than August 9, 2012.

Dated: July 16, 2012
New York, New York

By: _____


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